

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF

CONSTRUCTORA RIVAS, INC.

DEBTORS

CASE NO.: 11-02382

CHAPTER 11

APPLICATION FOR APPOINTMENT OF ATTORNEY FOR DEBTOR  
TO THE HONORABLE COURT:

The application of the above captioned debtor, as trustee of the estate herein, respectfully represents:

1. Applicant has filed a petition for reorganization under the provisions of Chapter 11 of the Bankruptcy Code, 11 USC sec. 1101 et seq.
2. Applicant is not sufficiently familiar with the law to be able to plan and conduct the proceedings herein without competent counsel.
3. Applicant wish to retain and employ WANDA I. LUNA MARTINEZ as attorney in these proceedings, at the hourly rate of \$200.00 per hour subject to the approval of this court, in accordance with 11 USC sec. 503 and FRBN 2014.
4. In selecting the aforesaid counsel, applicants have made a careful and diligent inquiry into the qualifications of attorney Wanda I. Luna Martinez, licensed and admitted to practice before this Court, and has found said attorney to be duly qualified to represent applicants in these proceedings by reason of their ability, integrity and professional experience.

5. To the best of applicants knowledge, information and belief, said attorney have no connections with the debtors, its creditors or any other party in interest or with the attorney or accountant of such parties and represent no adverse interest to the estate herein and otherwise disinterested persons in these proceedings, all pursuant to 11 USC sec. 327 (a), sec. 101 (14) and FRBP 2014, to represent or assist the trustee in carrying out the trustee's duties.
6. Furthermore, to the best of the applicants knowledge, the applicants and the aforesaid attorney have no relation or connections with the United States Trustee whose interest may be adverse to the estate herein.
7. In compliance with sec. 327 and sec. 504 (a) of the United States Bankruptcy Code, a certificate executed by Wanda I. Luna Martinez is accompanied with this application.


WHEREFORE, your applicant pray for an order approving the appointment of Wanda I. Luna Martinez to represent debtor in the performance of all legal of these proceedings heretofore rendered and which may be necessary to render during the pendency of these proceedings under a general retainer.

#### VERIFICATION

I, Jose A. Rivas Perez, of legal age, married, President of Constructora Rivas, Inc., and resident of Morovis, Puerto Rico, certify that the foregoing statements and

information are true and correct to the best of my knowledge, information and belief.


In San Juan, Puerto Rico, this <sup>23<sup>rd</sup></sup> day of March 2011.



JOSE A. RIVAS PEREZ

#### CERTIFICATE OF SERVICE

I hereby certify that on this same date a true copy of this document has been served to US Trustee, 500 Tanca St. Ochoa Building, 3<sup>rd</sup> Floor, San Juan, PR 00901; and to Wanda I. Luna Martinez, Esq., PMB 389 PO Box 194000, San Juan, PR 00919-4000.



JOSE A. RIVAS PEREZ

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF

CONSTRUCTORA RIVAS, INC.

DEBTORS

CASE NO.: 11-02382

CHAPTER 11

CERTIFICATE OF PROPOSED ATTORNEY

I, WANDA I. LUNA MARTINEZ, do hereby certify under penalty of perjury that the following information is true and correct:

1. I am the person whom the above named debtors desire to employ as attorney for the estate, for the purpose of representing them as is more fully set forth in the petition of debtor filed with this certificate.
2. I am an attorney and counselor at law, fully and duly admitted to practice in the Commonwealth of Puerto Rico.
3. I maintain an office for the practice of law at 474 Ave. Teniente Cesar Gonzalez, Hato Rey, Puerto Rico, and mailing address is PMB 389 PO Box 194000, San Juan, PR 00919-4000. As of March 23, 2010 I have agreed to represent debtors in the instant Chapter 11 proceedings.
4. To the best of my knowledge I am not an attorney for any creditor or any interested party herein, nor with anyone acting on their behalf, whose interest may be adverse to the estate herein, and I am a disinterested person to represent or assist the debtors duties under the Bankruptcy Code within the provisions of 11 USC sec. 327(a).

5. I have had no business, professional or other connection with the debtors' creditors or any other party in interest or their respective attorneys and accountants, or with the United States Trustee or any person employed in the Office of the United States Trustee whose interest may be adverse to the estate herein, pursuant to FRBP 2014 (a)(b).
6. Debtors and the undersigned attorney have agreed that the latter's services in this case will be compensated at an hourly rate of \$200.00 per hour, hourly rate to cover the services rendered or to be rendered. I have received a retainer of \$8,000.00, which sum, upon information and belief was generated by debtor.
7. The source of the compensation paid or promised to the undersigned attorney has been and shall be from debtors', and from such funds as may be available to debtor from third parties and to which debtor may be legally entitled.
8. There are no arrangements or agreements in our part for the sharing of any of the compensation received or to be received in regard to the services rendered or to be rendered to the debtors herein in these proceedings pursuant to 11 USC sec. 504 and FRBP 2014 (a)(b).
9. The filing fee required by law has been paid by the debtors.
10. I will amend this statement immediately upon my learning that (a) any of the representations made herein are incorrect, or (b) there is any change of circumstances relating thereto.

11. I have reviewed the provisions of LBR 2016-1

In San Juan, Puerto Rico, this 23<sup>rd</sup> day of March 2011.

/s/ Wanda I. Luna Martinez  
WANDA I. LUNA MARTINEZ  
USDC-PR 206307  
PMB 389 PO BOX 194000  
SAN JUAN, PR 00919-4000  
TEL. (787)731-4437  
quiebra@gmail.com

**WANDA I. LUNA MARTINEZ**

PMB 389 PO Box 194000

San Juan, PR 00919-4000

(787) 731-4437

quiebra@gmail.com

**Relevant Experience**

February 2010-Present

Wanda I. Luna Law Offices

Guaynabo, PR

- Advisors to persons seeking personal and commercial advise in their financial Situation
- Negotiations with banking institutions regarding reorganization plans for debtors
- Legal representation of debtors in bankruptcy proceedings
- Notary Public

1996-2010

Montanez & Alicea Law Offices

Hato Rey, PR

Associate Attorney

- Extensive litigation in Bankruptcy Law and foreclosure law representing creditors
- Extensive civil litigation in state courts involving commerce, corporate and banking law
- Drafting of appeal briefs and appearance before the United States Court of Appeals and Bankruptcy Appellate Panel

1995-1996

Puerto Rico General Services Administration

San Juan, PR

Director of Legal Division

- Draft legal opinions
- Draft proposed litigation
- Attend personnel problems and give legal advice to personnel office
- Supervise attorneys in the legal division

1991-1995

Latimer, Biaggi, Rachid & Godreau Law Offices

San Juan, PR

Associate Attorney

- Extensive litigation in Bankruptcy Law representing debtors, creditors and operating trustees
- Civil litigation involving commerce, corporate, banking, real estate and hospital law
- Perform duties as a Notary Public
- Involved in collective bargaining agreements negotiations and arbitration hearings
- Research for civil and bankruptcy cases
- Drafting motions, summary judgments, interrogatories, production of documents
- Taking of depositions

1990-1991

Vazquez, Vizcarrondo, Alvarez, Angelet & Gonzalez

San Juan, PR

Associate Attorney

- Extensive litigation in civil, insurance and real estate law
- Perform duties as a Notary Public
- Drafting motions, summary judgments, interrogatories, subpoenas, production of documents
- Taking of depositions

1988-1990      Vazquez, Vizcarrondo, Alvarez, Angelet & Gonzalez      San Juan, PR  
 Law Clerk  
 -Research for civil, insurance, torts, and bankruptcy cases  
 -Drafting of motions, summary judgments, interrogatories, production of documents  
 -Prepare trial briefs

#### **Continued Legal Education**

1994-2001 Southeastern Bankruptcy Law Institute Atlanta, Georgia

2006 Interamerican University Continued Legal Education Institute - Chapter 12 under the Bankruptcy Law

2005 Puerto Rico Bankruptcy Bar Association - Bankruptcy Abuse and Prevention Consumer Protection Act

2005 National Association of Consumer Bankruptcy Attorneys, Chicago, Illinois - Surviving the Bankruptcy Abuse and Prevention Consumer Protection Act

2009 National Association of Consumer Bankruptcy Attorneys, Chicago, Illinois- Recent Developments

2010 PR Bankruptcy Bar, San Juan, PR- Recent Developments in Bankruptcy

1996 Environmental Law: EPA regulations

1992 Intellectual Property Rights

#### **Speaker for:**

National Business Institute    1994  
 Fundamentals of Bankruptcy Law

Puerto Rico Bar Association    1994  
 Fundamentals of Bankruptcy Law

RG Premier Bank                      2006  
 Bankruptcy Abuse and Prevention Consumer Protection Act

PR Department of Justice    2009  
 Bankruptcy and Foreclosure of Mortgages

Puerto Rico Bar Association    2009  
 Bankruptcy and Foreclosure of Mortgages



## Licenses

Admitted to practice law in the Supreme Court of Puerto Rico 1990

Admitted as Notary Public by the Supreme Court of Puerto Rico 1990

Admitted to practice law in the United States District Court for the District of Puerto Rico 1991

Admitted to practice law in the United States Court of Appeals for the First Circuit 1991